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May 20, 2024

VIA ECF AND EMAIL (FAILLA_NYSDCHAMBERS@NYSD.USCOURTS.GOV)

Hon. Katherine Polk Failla, U.S.D.J.
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: **Larball Publishing Company, Inc., et al. v. Dua Lipa, et al., Case No. 22-cv-1872**

Dear Judge Failla:

We are counsel for Plaintiffs Larball Publishing Company, Inc. and Sandy Linzer Productions, Inc. (collectively, "Plaintiffs") in the above-referenced action.

We write pursuant to Rule 2(c)(i) of Your Honor's Individual Rules and Practices to request a two-week extension of the deadlines in connection with Motion(s) for Summary Judgment in this matter. We have the full consent of the Defendants for the revised schedule. In short, unfortunately, COVID and other maladies have struck, necessitating this request

Pursuant to Your Honor's Order dated February 12, 2024 (ECF Doc. No. 95), the deadlines to submit Motion(s) for Summary Judgment was on or before March 26, 2024, with oppositions due on or before May 8, 2024, and replies due on or before May 29, 2024. Defendants filed a letter motion for an extension of time to file motions on March 13, 2024 (ECF Doc. No. 96), and Your Honor granted Defendants' request on the same day (ECF Doc. No. 97). Thereafter, Defendants filed a Motion for Summary Judgment and Motion to Preclude Expert Testimony.

The current deadline to oppose Defendants' Motion for Summary Judgment and Motion to Preclude Expert Testimony is on or before May 24, 2024, and replies are due on or before June 21, 2024. Plaintiffs respectfully request that the deadlines be extended by just over two weeks because one counsel for Plaintiffs on this matter recently fell ill with COVID-19 and another unfortunately suffered a broken shoulder, causing delay. The schedule proposed below was arrived at in consultation with all counsel, and consideration of other scheduling conflicts and the 4th of July holiday. Counsel for Defendants consent to this request.

As such, Plaintiffs respectfully request the briefing schedule be modified as follows:

- June 10, 2024 – Deadline for Oppositions to Motion(s) for Summary Judgment
- July 12, 2024 – Deadline for Replies in Support of Motion(s) for Summary Judgment

We thank the Court for its consideration of this request.

Respectfully Submitted,

Jason T. Brown
BROWN, LLC

cc: Counsel of Record (via ECF)

Application GRANTED. The Court extends its wishes for speedy recoveries to counsel. The Clerk of Court is directed to terminate the pending motion at docket entry 112.

Dated: May 21, 2024
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE

JTB/es